

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6847

BILL NUMBER: SB 248

DATE PREPARED: Mar 22, 2002

BILL AMENDED: Mar 14, 2002

SUBJECT: Small Claims Costs Fee.

FISCAL ANALYST: Mark Goodpaster

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FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (CCR Amended) This bill exempts the Attorney General from paying the small claims costs fee. It also makes technical corrections.

Effective Date: July 1, 2002.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: This bill could shift case filings from the civil dockets of circuit and superior courts to the small claims dockets of the Marion County Small Claims Courts, trial courts, and potentially city and town courts. The Office of the Attorney General (AG) reports that it files roughly 1,500 cases each year in circuit and superior courts as civil plenary cases on behalf of claimants. Staff in the AG's office indicate that cases could be resolved more quickly in a small claims docket than in a civil docket since proceedings are less formal.

The effect that any additional workload will have on local courts will depend on the existing capacity of the courts to process cases and the extent to which filings are dispersed among various courts with small claims dockets.

Explanation of Local Revenues: Currently, the AG's Office files all cases in the civil docket of circuit and superior courts because the Office of the Attorney General is exempt under current law from paying the filing fee in civil cases. The courts in which these cases are filed receive no revenue for these cases. Courts with small claims dockets to which these cases would shift would not receive any revenue from filing fees. A civil filing fee is \$100 while the filing fee for a small claims case is \$35.

State Agencies Affected: Office of the Attorney General.

Local Agencies Affected: Trial courts, Marion County Small Claims Courts, city and town courts.

Information Sources: Jennifer Thuma, Office of the Attorney General.